OUTGOING AIRGRAM

DEPARTMENT OF STATE — DIVISION OF COMMUNICATIONS AND RECORDS — TELEGRAPH BRANCH

DEPARTMENT OF STATE A/CDC/MR
3/19/82
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

CSEX) A-315

[illegible] body of the treaty. In addition, however, the Japanese have chosen to put in the second sentence namely, as objective a general rule of equitable treatment for aliens in relations not otherwise covered specifically in the body of the treaty. The Japanese proposal was to amend us to substitute an independent rule that would govern the remainder of the treaty. In a nutshell, the Japanese proposal would end as a practical matter the rest of the treaty. Thus the second purpose disappears. The provision is hereby struck bodily, [illegible] to reinforce this second objective.

4. Particularly [illegible] responsible solution of the difficulty the Japanese apparently have with Article I in form and substance [illegible] to be taken as to maintain the provision would substantially undercut the treaty as a whole.

5. The new clause proposed by the Government concerning other activities for "treaty investors", is not intended to be limited to investments [illegible] with bilateral trade, but is rather designed to cover substantial but legitimate investments of generally all sorts. The Department wishes to retain this intent and effect. There are [illegible] would be the clause including for treaty "under which, and it would fall of the purpose of substantially [illegible] treaty and strengthening [illegible] for the purpose of [illegible] investments. Presumably and practically speaking, the international investment are normally done in such [illegible] countries between two countries and indirectly, at least, contribute to such mutual international trade; but there would be no objection in providing that, as a condition to the issuance of a treaty investor visa, the investments must have a stable and major relation to bilateral trade.

6. The principal change which the Japanese wish to introduce into Article I-VII is the clause "Nationals entry shall without appropriate reasonable opportunities and facilities for the investment of capital by nationals [illegible] other [illegible]". If Article VII and VIII are agreed to [illegible] treaty, this clause would be [illegible] by the [illegible] would add nothing to the treaty. The principal [illegible] VII and VIII [illegible] Japan [illegible] the whole body of [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

OUTGOING AIRGRAM

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CONFID A-215

Various needs, such as the notice by the Japanese Government to the British Embassy (London) and Ireland (Dublin) and the Department has on occasion been decided airgram rather than telegram, it is assumed, for the reasons for this decision were: (1) the airgram is at least redundant, and it normally clutches (or fit by with useless words; (2) it could be transmitted [illegible] at all events, with greater latitude with respect to timing, the full obligations [illegible] to be secure against [illegible] in the interception of cable [illegible] and (3) to have been established by the National Council [illegible] while [illegible] to [illegible] with the [illegible] provisions of the Airgram [illegible] in many exceptions [illegible] [illegible] [illegible]